

AMENDED IN SENATE JULY 11, 2007

AMENDED IN ASSEMBLY JUNE 1, 2007

AMENDED IN ASSEMBLY MARCH 22, 2007

CALIFORNIA LEGISLATURE—2007–08 REGULAR SESSION

ASSEMBLY BILL

No. 295

Introduced by Assembly Member Lieu
(Coauthors: Assembly Members Eng, Hayashi, Ma, and Torrico)
(~~Coauthor: Senator Yee~~ Coauthors: Senators Oropeza and Yee)

February 9, 2007

An act to amend Section 8310.5 of, and to add Section 8310.7 to, the Government Code, relating to state agencies.

LEGISLATIVE COUNSEL'S DIGEST

AB 295, as amended, Lieu. State agencies: collection of demographic data.

Existing law requires any state agency, board, or commission that directly or by contract collects demographic data as to the ancestry or ethnic origin of Californians to use separate collection categories and tabulations for each major Asian and Pacific Islander group, including, but not limited to, Chinese, Japanese, Filipino, Korean, Vietnamese, Asian Indian, Hawaiian, Guamanian, Samoan, Laotian, and Cambodian.

This bill would require specified state agencies to use additional separate collection categories and tabulations for other major Asian and Pacific Islander groups, including Bangladeshi, Fijian, Hmong, Indonesian, Malaysian, Pakistani, Sri Lankan, Taiwanese, Thai, and Tongan. This bill would also require that these specified state agencies update their data collection categories to match those used by the United States Census Bureau. This bill would further require ~~that a state~~

~~agencies~~ *agency, board, or commission* that directly or by contract collect ~~collects~~ demographic data, ~~make their demographic reports available to the public, to the extent that disclosure does not violate confidentiality.~~ *include data on specified collection categories and tabulations in any demographic report on ancestry or ethnic origins of Californians that it publishes or releases on or after July 1, 2009. This bill would further require a state agency, board, or commission to make the collected data available to the public, in accordance with state and federal law, except for personal identifying information, which shall be deemed confidential.*

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature hereby finds and declares all of
- 2 the following:
- 3 (a) More than one-third of the nation's Asians and Pacific
- 4 Islanders live in California, making the state home to more Asians
- 5 and Pacific Islanders than any other state in the nation.
- 6 (b) Asians and Pacific Islanders represent 14 percent of the
- 7 state's population, and grew by 52 percent from 1990 to 2000.
- 8 (c) Asians and Pacific Islanders are an incredibly diverse group.
- 9 The United States Census Bureau reports data for more than 20
- 10 different ethnicities within this group.
- 11 (d) While Asians and Pacific Islanders are often misrepresented
- 12 as a homogeneous group, they actually represent dozens of different
- 13 cultures, languages, and ethnic groups and have a wide range of
- 14 economic, educational, and social needs.
- 15 (e) Existing state law requires state demographic data to be
- 16 divided into some Asian and Pacific Islander ethnic groups.
- 17 However, additional groups reported by the United States Census
- 18 Bureau are not included in state demographic data.
- 19 (f) Given the diversity of languages and cultures, separating
- 20 data for additional Asian and Pacific Islander ethnic groups is
- 21 critical for enhancing our state's understanding of the needs and
- 22 experiences of these different communities.
- 23 SEC. 2. Section 8310.5 of the Government Code is amended
- 24 to read:

1 8310.5. (a) Any state agency, board, or commission that
2 directly or by contract collects demographic data as to the ancestry
3 or ethnic origin of Californians shall use separate collection
4 categories and tabulations for each major Asian and Pacific Islander
5 group, including, but not limited to, Chinese, Japanese, Filipino,
6 Korean, Vietnamese, Asian Indian, Hawaiian, Guamanian, Samoan,
7 Laotian, and Cambodian.

8 ~~(b) During the normal process of reporting demographic data,~~
9 ~~any state agency, board, or commission shall report the collected~~
10 ~~data according to each Asian and Pacific Islander group specified~~
11 ~~in subdivision (a) and make that data available to the public to the~~
12 ~~extent that disclosure does not violate confidentiality.~~

13 *(b) The data collected pursuant to the different collection*
14 *categories and tabulations described in subdivision (a) shall be*
15 *included in any demographic report on ancestry or ethnic origins*
16 *of Californians by a state agency, board, or commission published*
17 *or released on or after July 1, 2009. The data shall be made*
18 *available to the public in accordance with state and federal law,*
19 *except for personal identifying information, which shall be deemed*
20 *confidential.*

21 SEC. 3. Section 8310.7 is added to the Government Code, to
22 read:

23 8310.7. (a) In addition to the duties imposed under Section
24 8310.5, the following state agencies, in the course of collecting
25 demographic data directly or by contract as to the ancestry or ethnic
26 origin of Californians, shall collect and tabulate data for additional
27 major Asian and Pacific Islander groups, including, but not limited
28 to, Bangladeshi, Fijian, Hmong, Indonesian, Malaysian, Pakistani,
29 Sri Lankan, Taiwanese, Thai, and Tongan:

30 (1) The State Department of Health Care Services.

31 (2) The State Department of Public Health.

32 (3) The State Department of Social Services.

33 (4) The Employment Development Department.

34 (5) The Department of Industrial Relations.

35 (6) The State Personnel Board.

36 (7) The Department of Fair Employment ~~&~~ and Housing.

37 (b) During the normal process of reporting demographic data,
38 the state agencies shall report the collected data according to each
39 Asian and Pacific Islander group specified in subdivision (a) and
40 make that data available to the public ~~to the extent that disclosure~~

1 ~~does not violate confidentiality.~~ *in accordance with state and*
2 *federal law, except for personal identifying information, which*
3 *shall be deemed confidential.*

4 (c) The state agencies set forth in subdivision (a) shall comply
5 as early as possible, but no later than July 1, 2009.

6 (d) Notwithstanding subdivision (c), the state agencies pursuant
7 to subdivision (a) shall, within 18 months after the United States
8 Census is released to the public, update their data collection to
9 reflect the additional Asian and Pacific Islander groups as they are
10 reported by the United States Census Bureau.